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11 Attorneys for Plaintiff

12 UNITED STATES DISTRICT COURT

13 NORTHERN DISTRICT OF CALIFORNIA

14 SAN FRANCISCO DIVISION

15 UNITED STATES OF AMERICA,) CR06-0036 MAG
 16 Plaintiff,) No. 3-05-71017 EDL
 17 v.) [PROPOSED] ORDER AND
 18 TECK CHUEE LIM,) STIPULATION EXCLUDING TIME
 19 Defendant.) UNDER THE SPEEDY TRIAL ACT

20 The parties stipulate and agree, and the Court finds and holds, as follows:

21 1. The parties initially appeared on the instant matter December 29, 2005 for defendant's
 22 initial appearance on the complaint, and thereafter appeared on January 9, 2006 for defendant's
 23 detention hearing. On January 9, 2006, the matter was continued until January 13, 2006 for
 24 arraignment/preliminary hearing.

25 2. On January 13, 2006, the matter was continued to January 18, 2006
 26 for arraignment before the Honorable Joseph C. Spero.

27 3. On January 13, 2006, Assistant Public Defender Elizabeth Falk, who currently
 28 represents the defendant, requested an exclusion of time from January 13, 2006 to January 18,
 2006, based on effective preparation and continuity of counsel. The defendant agreed to an
 extension of time for the preliminary hearing under Federal Rule of Criminal Procedure 5.1(d)

and an exclusion of time under the Speedy Trial Act. The parties are involved in discussions which appear likely to lead to pre-indictment resolution of this case. Therefore, the parties are requesting an extension of time under Rule 5.1(d) and an exclusion of time under the Speedy Trial Act. The parties agree that the time from January 13, 2006 through January 18, 2006 should be extended under Rule 5.1(d) and excluded in computing the time within which an information or indictment must be filed. See 18 U.S.C. § 3161(h)(8)(A) and (B)(iv).

4. In light of the foregoing facts, the failure to grant the requested exclusion would unreasonably deny counsel for the defense the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. See id. The ends of justice would be served by the Court excluding the proposed time period. These ends outweigh the best interest of the public and the defendant in a speedy trial. See id. § 3161(h)(8)(A).

5. For the reasons stated, the time period from January 13, 2006 through January 18, 2006 is extended under Rule 5.1(d) and excluded from the calculation of time under the Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(A).

IT IS SO STIPULATED.

DATED: January 18, 2006

Respectfully Submitted,

DATED: January 18, 2006

/S/
ELIZABETH FALK
Counsel for Lim Teck Chuee

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: January 19, 2006

HONORABLE JOSEPH C. SPERO
United States Magistrate Judge